

REMARKS

Applicant has carefully reviewed the Final Office Action mailed June 16, 2010, and respectfully requests reconsideration of the subject application, particularly in view of the above amendments and the following remarks.

Status of the Claims

Claims 11-18, 31, 32, 34, 35, 37-44, and 50-56 were previously pending. Claims 1-10, 33, 33, and 36 were previously cancelled. Claims 19-30 and 45-49 were previously withdrawn. In response to the Patent Office's objection to the specification, Applicant has amended claims 11, 12, 31, 41, 50, and 56 to remove each occurrence of the word "local" prior to each recitation of "realm." Applicant respectfully requests entry of this amendment, which should not raise new issues or require an additional search since the word "local" was only added by amendment in the response to the Office Action mailed December 22, 2009. The subject matter of the claims had certainly been searched by the Patent Office prior to such amendment, as evidenced by the multiple Office Actions previously mailed by the Patent Office in the subject application. Moreover, entry of the amendment will place the application in better form for appeal by reducing the issues.

Rejection Under 35 U.S.C. § 103(a) – Johnson and St. Pierre

Claims 11-18, 31, 32, 34-44, and 50-56 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,456,234 B1 to Johnson (hereinafter "Johnson") in view of U.S. Patent No. 6,853,841 B1 to St. Pierre (hereinafter "St. Pierre"). Applicant respectfully traverses. When determining whether a claim is obvious, an Examiner must make "a searching comparison of the claimed invention—including all its limitations—with the teaching of the prior art." *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995) (emphasis added). Thus, "obviousness requires a suggestion of all limitations in a claim." *CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) (citing *In re Royka*, 490 F.2d 981, 985 (CCPA 1974)). Moreover, as the Supreme Court recently stated, "*there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.*" *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398, 418, 82 U.S.P.Q.2d (BNA) 1385, 1396 (2007) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006) (emphasis added)).

Because the basis and supporting rationale for the Patent Office's rejection of Applicant's claims are substantially the same as those articulated in the Office Action mailed December 22, 2009, and because Applicant disagrees with the Patent Office's basis and rationale for substantially the same reasons which were articulated in Applicant's response filed on March 22, 2010 (hereinafter "Previous Response"), Applicant hereby incorporates herein Applicant's arguments in the Previous Response as articulated therein, except that the occurrence of the words "local realm" may be read as the word "realm" in each instance.

In summary, Applicant's invention, as recited in claim 11, requires the identification of a realm, user selection of the realm, transmission of a password associated with the realm, and the receipt of device identifiers after the transmission of the password. For the reasons incorporated herein from the Previous Response, neither Johnson nor St. Pierre teaches or suggests:

- 1) the identification by a device of a realm;
- 2) user selection of the realm;
- 3) transmission of a password associated with the realm; or
- 4) a list of device identifiers that is provided after transmission of the password.

For at least the foregoing reasons, Applicant submits that claim 11 is allowable over the cited references.

Claim 31 includes similar limitations to those discussed herein with regard to claim 11, and thus should be allowable for at least the same reasons.

Claims 41 and 50 include similar limitations to those discussed herein with regard to claim 11, except they do not explicitly require the receipt of a plurality of device identifiers upon transmission of a password. However, for the reasons discussed above with respect to identification of a realm, user selection of the realm, and transmission of a password associated with the realm, Applicant submits claims 41 and 50 are likewise allowable.

Claim 56 recites an additional feature of Applicant's invention wherein the realm is a wireless local area network. Because neither Johnson nor St. Pierre teaches or suggests the use of a location identifier identifying a realm, Johnson and St. Pierre likewise fail to teach or suggest using a location identifier wherein the realm is a local area network. Thus, Applicant believes claim 56 is allowable.

Claims 12-18 depend directly or indirectly from claim 11. As such, since claim 11 is allowable, claims 12-18 are also allowable. However, Applicant reserves the right to further address the rejection of claims 12-18 in the future, if needed.

Claims 32, 34, 35, 37-40, 54, and 55 depend directly or indirectly from claim 31. As such, since claim 31 is allowable, claims 32, 34, 35, 37-40, 54, and 55 are also allowable. However, Applicant reserves the right to further address the rejection of claims 32, 34, 35, 37-40, 54, and 55 in the future, if needed.

Claims 42-44 depend directly or indirectly from claim 41. As such, since claim 41 is allowable, claims 42-44 are also allowable. However, Applicant reserves the right to further address the rejection of claims 42-44 in the future, if needed.

Claims 51-53 depend directly or indirectly from claim 50. As such, since claim 50 is allowable, claims 51-53 are also allowable. However, Applicant reserves the right to further address the rejection of claims 51-53 in the future, if needed.

Conclusion

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

WITHROW & TERRANOVA, P.L.L.C.

By:



Eric P. Jensen
Registration No. 37,647
100 Regency Forest Drive, Suite 160
Cary, NC 27518
Telephone: (919) 238-2300

Date: August 16, 2010
Attorney Docket: 1116-064